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REMARKS

By the present amendment and response, claims 1, 13, and 16 have been amended. Claims 2, 14, and 17 were previously canceled. Claims 1, 3-13, 15-16, and 18-20 are pending in the present application. Reconsideration and allowance of pending claims 1, 3-13, 15-16, and 18-20 in view of the following amendments and remarks are requested.

A. Rejection of Claims 1 and 3-12 under 35 USC §103(a)

The Examiner has rejected claims 1 and 3-12 under 35 USC §103(a) as being obvious with respect to U.S. Patent Number 6,351,530 B1 to Rahamim, et al. ("Rahamim"), and further in view of U.S. Patent Number 6,163,447 to Pitsch, et al. ("Pitsch") and U.S. Patent Number 5,642,416 to Hill, et al. ("Hill"). For the reasons discussed below, Applicant respectfully submits that the present invention, as defined by amended independent claim 1, is patentably distinguishable over Rahamim, Pitsch, and Hill, either singly or in combination.

Various embodiments according to the present invention relate to communication devices for coupling to an external communication medium. More specifically, the present invention relates to a telephone line data access arrangement providing improved surge protection.

In accordance with one embodiment disclosed in the present application at page 10, lines 16-21:

"[V]oltage clamping device 100 is advantageously coupled between the plus and minus terminals of the diode bridge 104. In this manner, the

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maximum voltage to which the line side circuitry 106 may be exposed is limited to the voltage rating of the voltage clamping device 100, both for longitudinal and metallic high voltage surges. The voltage clamping device 100 is selected such that transistors and other sensitive circuitry of the line side circuitry 106 are not subjected to a voltage level that causes permanent damage."

Advantages of the invention, some of which are discussed above, result from the invention as disclosed and claimed. For example, independent claim 1 has been amended such that claim 1 now recites, in part, "limiting a maximum voltage to which the programmable line side circuitry can be exposed to substantially a voltage rating of the high voltage clamping device for longitudinal and metallic high voltage surges."

In contrast to the present invention, Rahamim teaches a modem with digital barrier interfaces 118a and 118b. Rahamim also teaches programmable line side circuitry 102. Rahamim, column 4, lines 33-42. The Examiner correctly states that Rahamim does not teach the high voltage clamping device or capacitors of the present invention. Rahamim does not disclose, teach, or suggest the configuration set forth in amended independent claim 1, wherein a maximum voltage to which programmable line side circuitry can be exposed is limited to substantially a voltage rating of a high voltage clamping device, both for longitudinal and metallic high voltage surges.

Moreover, referring to Figure 4B and column 9, lines 39-41, Rahamim teaches that "a metal oxide varistor 308 is coupled between the tip connection 300 and ring connection 302 to provide lightning and surge protection." Thus, Rahamim does not teach "a high voltage clamping device disposed between the second pair of terminals",

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nor does Rahamim suggest any advantage in any location other than "between the tip connection 300 and ring connection 302 to provide lightning and surge protection." Thus, Rahamim not only fails to suggest all the elements of claim 1, but also does not even disclose a motivation to modify or combine with Pitsch.

Pitsch does not cure the deficiencies of Rahamim. Pitsch merely teaches, at column 4, lines 15-24, unidirectional sidactor® S for protecting against over-voltage across modem circuitry 30. Pitsch does not disclose, teach, or even suggest, alone or in combination, the configuration set forth in amended independent claim 1.

Likewise, Hill does not cure the deficiencies of Rahamim and Pitsch. Hill simply teaches eliminating interference caused by high level, amplitude modulated, radio broadcasts. Hill teaches coupling capacitors between the tip and ring conductors 21 and 22 of transmission line 20. Hill, column 4, lines 27-30. Hill, alone or in combination, does not teach, disclose, or even suggest placing EMI capacitors 102a and 102b in such a configuration with respect to diode bridge 104. Likewise, there is no motivation or suggestion within the cited art to combine or modify Rahamim, Pitsch, or Hill.

For the foregoing reasons, Applicant respectfully submits that the present invention as defined by amended independent claim 1 is not taught, disclosed, or suggested, alone or in combination, by Rahamim, Pitsch, and Hill. As such, the claims depending from amended independent claim 1 are, *a fortiori*, also patentably distinguishable over Rahamim, and further are patentably distinguishable in view Pitsch

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and Hill, for at least the reasons presented above and also for additional limitations contained in each dependent claim.

B. Rejection of Claims 13 and 15 under 35 USC §103(a)

The Examiner has rejected claims 13 and 15 under 35 USC §103(a) as being obvious with respect to Rahamim, and further in view of Pitsch, PCT International Application Publication WO 98/54813 to Ausmus, et al. ("Ausmus"), and Hill. For the reasons discussed below, Applicant respectfully submits that the present invention, as defined by amended independent claim 13, is patentably distinguishable over Rahamim, and further is patentably distinguishable in view of Pitsch and Hill.

As with independent claim 1, independent claim 13 has been amended such that claim 13 now recites, in part, "limiting a maximum voltage to which the programmable line side circuitry can be exposed to substantially a voltage rating of the high voltage clamping device for longitudinal and metallic high voltage surges."

As Applicant has already shown above with respect to amended independent claim 1, Rahamim, Pitsch, and Hill, alone or in combination, do not disclose, teach, or suggest the elements of amended independent claim 13. Ausmus does not cure the deficiencies of Rahamim, Pitsch, and Hill. Ausmus simply teaches varistor 32 coupled between line 12 and wire 26. Ausmus, Figure 1. Ausmus does not disclose, teach, or even suggest, alone or in combination, the configuration set forth in amended independent claim 13.

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Likewise, there is no motivation or suggestion within the cited art to combine or modify Rahamim, Ausmus, or Hill

For the foregoing reasons, Applicant respectfully submits that the present invention as defined by amended independent claim 13 is not taught, disclosed, or suggested, alone or in combination, by Rahamim, Pitsch, Ausmus, and Hill. As such, the claims depending from amended independent claim 13 are, *a fortiori*, also patentably distinguishable over Rahamim, and further is patentably distinguishable in view of Pitsch, Ausmus, and Hill for at least the reasons presented above, and also for additional limitations contained in each dependent claim.

C. Rejection of Claims 16 and 18-20 under 35 USC §103(a)

The Examiner has rejected claims 16 and 18-20 under 35 USC §103(a) as being obvious with respect to Rahamim, Pitsch, and Hill. For the reasons discussed below, Applicant respectfully submits that the present invention, as defined by amended independent claim 16, is patentably distinguishable over Rahamim, Pitsch, and Hill.

As with independent claims 1 and 13, independent claim 16 has been amended such that claim 16 now recites, in part, "limiting a maximum voltage to which the programmable line side circuitry can be exposed to substantially a voltage rating of the high voltage clamping device for longitudinal and metallic high voltage surges."

As Applicant has already discussed above, Rahamim, Pitsch, and Hill, alone or in combination, do not disclose, teach, or suggest the elements of amended independent

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claim 16. Likewise, as mentioned above, there is no motivation or suggestion within the cited art to combine or modify Rahamim, Pitsch, or Hill.

For the foregoing reasons, Applicant respectfully submits that the present invention as defined by amended independent claim 16 is not taught, disclosed, or suggested by Rahamim, Pitsch, and Hill. As such, the claims depending from amended independent claim 16 are, *a fortiori*, also patentably distinguishable over Rahamim, Pitsch, and Hill for at least the reasons presented above, and also for additional limitations contained in each dependent claim.

D. Conclusion

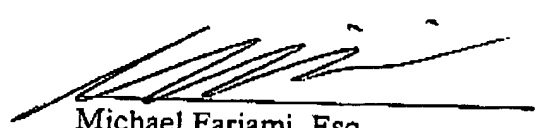
Based on the foregoing reasons, the present invention, as defined by amended independent claims 1, 13, and 16, and claims depending therefrom, is patentably distinguishable over the art cited by the Examiner. Thus, claims 1, 3-13, 15-16, and 18-20 pending in the present application are patentably distinguishable over the art cited by the Examiner. As such, and for all the foregoing reasons, an early Notice of Allowance of claims 1, 3-13, 15-16, and 18-20 pending in the present application are respectfully requested.

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Respectfully Submitted,
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